

ZONING BOARD OF APPEALS

APRIL 21, 2014 MEETING MINUTES

PRESENT: Chairperson Ron Nolland, Maurica Gilbert, Scott DeMane, Michelle LaBounty, Karl Weiss, (Alt.)

ABSENT: Connie Fisher, Kathy Latinville (Alt.)

ALSO PRESENT: Joseph McMahon, Building Inspector

Appeal #1997 Dan Elder

Appeal #1998 Robert Carpenter

Mr. Nolland called the meeting to order at 7:01 PM. He advised this is a 5 person board, which consists of 5 regular members and 2 alternate members. For each application, 3 positive votes are needed to carry any motion.

The below item was on tonight's agenda.

APPEAL	APPLICANT	REQUEST
1997	MARY PRAY 4914 SOUTH CATHERINE STREET	CLASS B VARIANCE AREA VARIANCE, BUILDING EXPANSION WOULD BE WITHIN REQUIRED FRONT YARD SETBACK
1998	ROBERT CARPENTER 19 LAFAYETTE STREET	CLASS B VARIANCE ERECT FRONT PORCH INTO FRONT YARD

The **first** item on the agenda was Appeal #1997, Mary Pray for a Class B Area Variance for a building expansion within the required side yard setback.

Mr. Nolland advised that Mrs. Pray had called and asked for a postponement for one month on her behalf.

Mr. Nolland also advised Mr. Elder that in no way the Board was questioning his ability as a surveyor regarding this appeal. Mr. Elder added normally if the other party does not have a survey and you have somebody with a certified survey, it should suffice and shouldn't be questioned. Mr. Nolland agreed. The board was just exploring everything but in no way were implying that he was not a quality surveyor.

Mrs. Labounty added it was the fact that it went down the middle of this person's driveway.

Mr. Weiss mentioned they didn't have the entire survey.

Mr. Elder added he had surveyed the whole block – 20 or 30 houses. It's one of those old surveys.

[Meter 4:40]

The **second** item on the agenda was Appeal 1998, Robert Carpenter, 19 Lafayette Street for a Class B Variance to erect a front porch into front yard.

The provision appealed is 270-10 Schedule of Area and Bulk Controls.

Mr. Carpenter has owned this property less than a year and lives next door.

The porch should be similar as to what was there before.

Pictures were presented by Mr. Carpenter but none with the previous porch displayed.

The request is to come 6', which would be 4 ½ feet to the sidewalk.

Mr. McMahon added at this time, the building is 10 ½ feet from the sidewalk.

Mr. Nolland stated it would be 4-1/2 feet from the property line, which they know the house is already 10-1/2 feet. It's supposed to be 25' so the house is already there, along with most of the homes on Lafayette Street and Montcalm Avenue.

Mr. Carpenter said a porch was originally part of this home. He did not know if it was wrap-around.

The 6' will miss the cedar trees.

This is a 3 family home.

The current set of stairs will come out. Mr. DeMane asked if the stairs will be outside of the 6'. Mr. Carpenter said no. There will be only 3 or 4 steps.

Mr. Nolland asked if the steps would be in line with the door. Mr. Carpenter said probably. The deck will not be covered.

There were no comments from the audience.

Discussion on Short Form SEQR:

Question #8(b): Changed no to yes.

All Board members agreed to the Part 1 SEQR question #8(b) being changed to yes.

Mr. DeMane questioned the storm water. Mr. Nolland thought it did not create any more impervious surfaces. Any water runoff will be dealt with by the Building Inspector.

Mr. McMahon questioned the applicant about the roof over the entryways. Mr. Carpenter said there is a small one there now and he is keeping that. Mr. McMahon asked if one is proposed for the front door as well. Mr. Carpenter said it would not be any bigger but attach it to the building because there are post hanging on the side and it looks horrible.

Mr. Nolland then asked if some family member might want to put a roof over any of these entrances. Mr. Carpenter advised he doubted it. Mr. McMahon added only the front porch roof would need a variance. The secretary asked for clarification on the front porch roof. The board clarified there would not be a roof on the front face.

MOTION:

By Ms. Gilbert, seconded by Mr. DeMane

REGARDING PART 2 OF THE SEQR, THAT THE BOARD FINDS THERE IS NO OR SMALL IMPACT REGARDING ALL THE ANSWERS ON THE SHORT FORM SEQR AND THAT WOULD BE THE CORRECT ANSWER FOR QUESTIONS 1-11, PART 2

ALL IN FAVOR

MOTION 2:

By Ms. Gilbert, seconded by Mr. DeMane

THAT THE BOARD FINDS, BASED ON THE INFORMATION ANALYSIS ABOVE AND SUPPORTING DOCUMENTATION, THAT THE PROPOSED ACTION WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

ALL IN FAVOR

Short discussion on actual variance square footage. [Meter 20:24]

MOTION ON VARIANCE #1998:

By Ms. Gilbert, seconded by Mrs. Labounty

REGARDING APPEAL #1998, ROBERT CARPENTER, 19 LAFAYETTE STREET, TO GRANT AN AREA VARIANCE ALLOWING AN OPEN DECK TO BE BUILT ON THE FRONT OF THE HOUSE AND THE VARIANCE AMOUNT IS 96 SQUARE FEET ACCORDING TO THE DRAWINGS SUBMITTED TO THE BUILDING INSPECTOR

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

MOTION:

**TO APPROVE THE FEBRUARY 18, 2014 MINUTES AND CHANGE THE NAME
FROM BRIAN MOSER TO JAMES MOSER**

ALL IN FAVOR

(Mr. Nolland, Mr. DeMane, Mrs. Labounty, Ms. Gilbert)

MOTION PASSED

MOTION:

TO APPROVE THE MARCH 17, 2014 MINUTES

By Ms. Labounty, seconded by Mr. DeMane

ALL IN FAVOR

(Mr. Nolland, Mr. DeMane, Mrs. Labounty, Mr. Weiss)

MOTION PASSED

MOTION TO ADJOURN:

By Mr. DeMane, seconded by Mr. Weiss

ALL IN FAVOR

MOTION PASSED

Meeting adjourned at 7:25 PM

For the purpose of this meeting, this meeting was recorded on the VIQ System in the Common Council Chambers. This is a true and accurate copy and transcription of the discussion.

Denise Nephew
Secretary
Zoning Board of Appeals